

1                                   **BEFORE THE PERSONNEL RESOURCES BOARD**  
2                                   **STATE OF WASHINGTON**

3 GEMMERRICIA OSBY,                                    )  
4                   Appellant,                            )  
5                   vs.                                     )  
6 DEPARTMENT OF SOCIAL AND                        )  
7 HEALTH SERVICES,                                 )  
8                   Respondent.                         )  
  )    CASE NO. R-ALLO-15-039  
  )    ORDER OF THE BOARD  
  )    FOLLOWING HEARING ON  
  )    EXCEPTIONS TO THE  
  )    DETERMINATION OF THE DIRECTOR

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9 **Hearing on Exceptions.** This appeal came before the Personnel Resources Board, NANCY  
10 HOLLAND YOUNG, Chair, SUSAN MILLER, Vice-Chair, and VICKY BOWDISH, Member. The  
11 hearing was held on January 21, 2016 in Olympia, WA.

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13 **Appearances.** Appellant Gemmerricia Osby was present and was represented by Teresa Parsons,  
14 Human Resources Specialist, Washington Federation of State Employees. Respondent Department  
15 of Social and Health Services (DSHS) was represented by Dorothy Hibbard, Classification and  
16 Compensation Specialist.

17  
18 **Background.** On March 26, 2015, Appellant received notification from DSHS headquarters that,  
19 as part of a good-faith reorganization, they were assigning her position to a new supervisor and  
20 reallocating her position from an Administrative Assistant 4 (AA 4) to an Administrative Assistant 3  
21 (AA 3) effective April 10, 2015. On April 15, 2015, Office of Financial Management, State Human  
22 Resources (OFM State HR) received Appellant’s request for a director’s review of DSHS’s  
23 allocation determination.

24  
25 By letter dated September 21, 2015, the director’s designee determined that Appellant’s position  
26 was properly allocated to an AA 3.

1 On October 27, 2015, Appellant filed timely exceptions to the director's determination. In her  
2 exceptions, Appellant indicated the scope of her work best fits the duties of the AA 4 job class.  
3 Appellant's exceptions are the subject of this proceeding.

4  
5 As summarized in the director's review, Appellant serves as the principle assistant to Dr. William  
6 Rogers, Director of Psychology & Rehabilitative Services and the Center Director for the Psychiatric  
7 and Treatment Center (PTRC) South/Central for Western State Hospital.

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9 **Summary of Appellant's Arguments.**

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11 Appellant contends that the duties of her position best fit the definition and distinguishing  
12 characteristics of the AA 4 job class and takes exception to the director's determination in several  
13 areas.

14  
15 First, Appellant asserts the PTRC is a major operating location or major organizational unit in  
16 DSHS, even though DSHS's Administrative Assistant allocation guidelines indicate otherwise.  
17 Appellant contends that the major operating location size is specified in the AA 4 distinguishing  
18 characteristics as "75 full time employees or more." Appellant further contends that the organization  
19 she supports consists of approximately 180 staff of which Dr. Rogers is a first or second line  
20 supervisor. In addition, there is indirect, dotted-line oversight of approximately 500 staff, which is  
21 well beyond the 75 full time staff referenced in the DCs. The number of employees, states Appellant,  
22 together with a 43.5 million dollar budget, demonstrates how the PTRC and Psychology and  
23 Rehabilitative Services is a major organizational unit within DSHS.

24  
25 Appellant also takes exception to the director's determination that indicates she does not perform  
26 work substantive enough to be at the higher level AA 4 job class. Appellant states that supporting  
27 the medical director entails work of a substantive nature beyond that of an AA 3. Appellant  
28 contends that Dr. Rogers delegated to her the hiring process for over 90 medical staff with a high

1 turnover rate. Appellant further contends this entails work from staff termination all the way through  
2 onboarding and includes managing the recruitment process in conjunction with HR. Appellant  
3 contends that without her work, the hiring process would halt. Additionally, Appellant asserts, she is  
4 responsible for managing monthly incentive funds for 12 hospital wards and has signature authority  
5 on most administrative matters for Dr. Rogers.

6  
7 Appellant also takes exception to the comparison of her position to the AA 3 in Norton-Nader versus  
8 Western Washington University, PRB Case No. R-ALLO-08-002 (2008). Appellant contends the  
9 AA 3 in Norton-Nader reported to part time faculty in the Faculty Senate, which was a secondary  
10 roll to their primary teaching job. Appellant asserts that her support of a director who provides  
11 oversight for over half the hospital and who is a first or second line supervisor for about 180 staff is  
12 not comparable to the AA 3's level of responsibility in the Norton-Nader case.

13  
14 **Summary of Respondent's Arguments.**

15  
16 Respondent argues that the AA series is not progressive from AA 1 to AA 5 and allocating depends  
17 largely upon who you report to. Respondent states the guideline for allocating the AA series is  
18 outlined in DSHS's internal document. The guideline shows the major sub-division is Western State  
19 Hospital itself and therefore, the head of the hospital would meet the guideline's criteria to employ  
20 an Administrative Assistant 5. The next level below the head of Western State Hospital would meet  
21 the size criteria for the support of an Administrative Assistant 4, and so on. By this standard and to  
22 promote consistency, Respondent contends that Appellant's support of the Psychology &  
23 Rehabilitative Services and the PTRC is not considered a major sub-division and therefore allocation  
24 to Administrative Assistant 4 is inappropriate according to this guideline.

25  
26 Respondent also argues that Appellant's duties do not rise to the level of the AA 4. Respondent  
27 contends that Dr. Rogers is a professional psychiatrist and therefore his work cannot be fully  
28

1 delegated down to an Administrative Assistant 4 because Appellant does not have authority over  
2 matters requiring licensure.

3  
4 **Primary Issue.** Whether the director's determination should be affirmed in that Appellant's position  
5 should remain at the AA 3 job class.

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7 **Relevant Classifications.** Administrative Assistant 3; Administrative Assistant 4.

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9 **Decision of the Board.** The purpose of a position review is to determine which classification best  
10 describes the overall duties and responsibilities of a position. A position review is neither a  
11 measurement of the volume of work performed, nor an evaluation of the expertise with which that  
12 work is performed. A position review is a comparison of the duties and responsibilities of a  
13 particular position to the available classification specifications. This review results in a  
14 determination of the class that best describes the overall duties and responsibilities of the position.  
15 See *Liddle-Stamper v. Washington State University*, PAB Case No. 3722-A2 (1994).

16  
17 Most positions within the civil service system occasionally perform duties that appear in more  
18 than one classification. However, when determining the appropriate classification for a specific  
19 position, the duties and responsibilities of that position must be considered in their entirety and  
20 the position must be allocated to the classification that provides the best fit overall **for the**  
21 **majority of the position's duties and responsibilities.** (Emphasis added). *Dudley v. Dept. of*  
22 *Labor and Industries*, PRB Case No. R-ALLO-07-007 (2007).

23  
24 We have carefully reviewed the documentation submitted during the director's review and  
25 considered the arguments presented by the parties at the hearing before the Board. Allocating  
26 criteria consist of the class specification's class series concept (if one exists), the definition and  
27 the distinguishing characteristics. Typical work is not an allocating criterion, but may be used to  
28 better understand the definition or distinguishing characteristics.

1 The definition of the AA 4:

2 Positions serve as the assistant on administrative matters to the head of a state agency, the  
3 head of a major sub-division or major operating location of an agency, or to the chief  
4 administrator **or head of a major organizational unit** such as a school, college, or major  
5 academic/administrative department (emphasis added).  
6

7  
8 Consistent with the class specifications, Appellant supports a major organizational unit. The  
9 distinguishing characteristics for the AA 4 job class help clarify the size of an organization to be  
10 considered “major,” which is, in relevant part:

11 ...  
12 For those positions in a major organizational unit such as a school, college, or major  
13 academic/administrative department, **the “unit” will typically have more than 75 full**  
14 **time equivalent professional and/or classified staff** (emphasis added)...  
15

16 The board understands that given the size of DSHS, an internal guideline may help with  
17 consistency when allocating within the AA series. However, an internal guideline does not take  
18 precedence over allocating criteria, which are the class series concept, definition and  
19 distinguishing characteristics. In this case, the distinguishing characteristics of the AA 4 help  
20 define a major organizational unit.

21  
22 The Board has considered all Appellant’s exceptions to the director’s determination and finds the  
23 duties of this position best fit the definition and distinguishing characteristics of the AA 4 job  
24 classification.

25  
26 In a hearing on exceptions, the Appellant has the burden of proof (WAC 357-52-110). Appellant  
27 has met her burden of proof.  
28

1 **ORDER**

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3 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Gemmericia  
4 Osby is granted, the director's determination dated September 21, 2015, is reversed, and  
5 Appellant's position is reallocated to the Administrative Assistant 4 job class.

6 DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.  
7

8 WASHINGTON PERSONNEL RESOURCES BOARD  
9

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11 \_\_\_\_\_  
12 NANCY HOLLAND YOUNG, Chair  
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16 SUSAN MILLER, Vice-Chair  
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19 \_\_\_\_\_  
20 VICKY BOWDISH, Member  
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